

AMENDED IN SENATE MARCH 20, 2006

**SENATE BILL**

**No. 1321**

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**Introduced by Senator Cedillo**

February 16, 2006

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An act to add Section 851.92 to the Penal Code, relating to criminal procedure.

LEGISLATIVE COUNSEL'S DIGEST

SB 1321, as amended, Cedillo. Criminal procedure: release from custody in jail.

Existing law generally regulates the conditions of arrest and release from custody.

This bill would state findings and declarations of the Legislature relative to "skid row" in the ~~city~~ City of Los Angeles.

~~This bill would require all persons processed through the Los Angeles County Inmate Reception Center who reside in Los Angeles County to be released to the Los Angeles County sheriff's facility that is closest to the location of arrest or the person's place of residence, as specified. The bill would define the procedure of "release" for those purposes and would provide that a person without a physical residence address would be transported to the sheriff's facility nearest the point of arrest. The bill would also provide that these requirements would not apply to a person who has a physical residence beyond the boundaries of the County of Los Angeles.~~

*This bill would require the Los Angeles County Sheriff's Department to identify individuals who are repeatedly admitted to jail and who are housed in homeless shelter programs. The bill would require the department, with the consent of the inmate, to provide information about those inmates to a county stabilization center or*

*social service organization that is providing discharge planning services, and would require the department to release those inmates identified as homeless or at-risk homeless to a county stabilization center or social service organization, as specified.*

By imposing additional duties on local law enforcement agencies, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. This act shall be known, and may be cited as,
- 2 the "Community Reunification Act."
- 3 SEC. 2. The Legislature finds and declares the following:
- 4 (a) The neighborhood of downtown Los Angeles known as
- 5 "skid row" encompassing a 60 square block area is in a state of
- 6 crisis caused by the uncontrollable amount of drug use, drug
- 7 trafficking, violence, and homelessness.
- 8 (b) The Los Angeles County Inmate Reception Center, located
- 9 in skid row, releases over 10,000 inmates per month into the
- 10 downtown area of the city of Los Angeles. Many of the released
- 11 inmates come from significant distances within the County of
- 12 Los Angeles, which encompasses a geographic area of 4,061
- 13 square miles. Many of those persons are in need of support
- 14 services from their own cities in the greater Los Angeles County.
- 15 (c) Many of the released inmates have little or no resources
- 16 available to them to enable them to return to their communities
- 17 because of the enormous size and distance between cities in the
- 18 County of Los Angeles. Therefore, many of the released inmates
- 19 are forced to survive on the streets in the skid row area.
- 20 (d) The massive number of inmates released from the
- 21 downtown Los Angeles sheriff's detention facilities have

exacerbated the problems associated with homelessness, drug abuse, and drug trafficking in the skid row area by concentrating the release of inmates to this specific area. The released population feeds a growing population of 9,000 to 11,000 homeless individuals in the skid row area, where current resources available are saturated, or in many cases, fully exhausted.

(e) The massive release of inmates from a centralized facility presents unique local problems for downtown Los Angeles.

SEC. 3. Section 851.92 is added to the Penal Code, to read:

~~851.92. (a) All persons processed through the Los Angeles County Inmate Reception Center who reside in Los Angeles County shall be released to the Los Angeles County sheriff's facility that is closest to the location of arrest or the person's place of residence.~~

~~(b) For purposes of this section, "release" means the process of physically transferring the person from the sheriff's facilities in downtown Los Angeles, the return of inventoried personal effects, transportation by the Los Angeles County sheriff's department to the sheriff's substation or detention facility that is closest to the point of arrest, or closest to the person's residence, and physical release thereat.~~

~~(c) An inmate who cannot provide an address for a physical residence shall be transported to and physically released at the sheriff's substation or detention facility that is closest to the location of the arrest.~~

~~(d) This section shall not apply to persons who have a physical residence beyond the boundaries of the County of Los Angeles.~~

*851.92. (a) The Los Angeles County Sheriff's Department shall develop a process for identifying individuals who repeatedly are admitted to the county jail and who, in addition, either immediately before their admission to or after their release from the county detention facilities, are housed in shelters provided by the County of Los Angeles or other not-for-profit homeless shelter service providers.*

*(b) The Los Angeles County Sheriff's Department shall collect, from any inmate, identified under subdivision (a) who will serve 10 days or more in any detention facility, information relating to the inmate's housing, employment, sobriety, and transportation needs. The Los Angeles County Sheriff's Department shall, with*

1 *the consent of the inmate, provide that information to any county*  
2 *stabilization center or social service organization that is*  
3 *providing discharge planning services to the inmate under*  
4 *contract with the Los Angeles County Sheriff's Department.*

5 *(c) The Los Angeles County Sheriff's Department shall release*  
6 *to a county stabilization center or social service organization all*  
7 *persons processed through the Los Angeles County Inmate*  
8 *Reception Center who have been identified through discharge*  
9 *planning as homeless or at-risk homeless and reside in Los*  
10 *Angeles County. In the case that a release inmate can not*  
11 *sufficiently demonstrate access to transportation after discharge*  
12 *from the detention facilities, the Los Angeles County Sheriff's*  
13 *Department shall transport the inmate to the sheriff's substation*  
14 *or detention facility that is closest to the point of arrest, or*  
15 *closest to the person's residence.*

16 *(d) For the purposes of this section, "discharge planning"*  
17 *means the creation of a plan for the post-release services and*  
18 *assistance with access to community-based resources and*  
19 *government benefits deigned to promote an inmate's successful*  
20 *reintegration into the community.*

21 *(e) For the purposes of this section, "stabilization centers"*  
22 *means a 24-hour, multidisciplinary/interdepartmental center*  
23 *with short-term shelter beds intended to serve the homeless or*  
24 *at-risk homeless population.*

25 *(f) For the purpose of this section, "homeless shelter" means*  
26 *an "emergency shelter" or "transitional housing."*

27 *(g) For the purpose of this section, "emergency shelter"*  
28 *means housing with minimal supportive services for homeless*  
29 *person that is limited to occupancy of six months or less by a*  
30 *homeless person and that is not withheld due to a client's*  
31 *inability to pay.*

32 *(h) For the purpose of this section, "transitional housing"*  
33 *means housing with supportive services that is limited to*  
34 *occupancy of up to 24 months that is exclusively designated and*  
35 *targeted for recently homeless persons. Transitional housing*  
36 *includes self-sufficiency development services, with the ultimate*  
37 *goal of moving recently homeless person to permanent housing*  
38 *as quickly as possible, and limits rents and service fees to an*  
39 *ability-to-pay formula.*

1     (i) *For purposes of this section, “release” means the process*  
2 *of physically transferring the person from the sheriff’s facilities*  
3 *in downtown Los Angeles, the return of inventoried personal*  
4 *effects, and transportation by the Los Angeles County Sheriff’s*  
5 *Department to a stabilization center, social service organization,*  
6 *or sheriff substation.*

7     SEC. 4. If the Commission on State Mandates determines that  
8 this act contains costs mandated by the state, reimbursement to  
9 local agencies and school districts for those costs shall be made  
10 pursuant to Part 7 (commencing with Section 17500) of Division  
11 4 of Title 2 of the Government Code.